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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,851	12/27/2001	John Wesley Moss	8285-459	9642

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EXAMINER

ANWAH, OLISA

ART UNIT PAPER NUMBER

2645

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

10/034,851

Applicant(s)

MOSS ET AL.

Examiner

Olisa Anwah

Art Unit

2645

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 30 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-9 and 17.Claim(s) withdrawn from consideration: 10-16.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☒ Other: See Continuation Sheet

FAN TSANG

SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2600

Olisa Anwah
Patent Examiner
July 30, 2004

Continuation of 10. Other: With respect to claim 6, Applicant argues Mitchell does not disclose the claimed call setup message. Examiner respectfully disagrees. ALL SS7 call setup messages include a calling party identification field, a called party identification field and a redirecting element field. While Mitchell does not LITERALLY spell out these fields, Mitchell discloses a system that uses SS7 call setup messages, hence it is inherent that the system taught by Mitchell includes the claimed data fields. The 3rd Edition of Signaling System #7 by Travis Russell supports this inherency statement. Figure 9.66 from page 477 of Russell is an illustration of the different parameters of a call setup message. The listed parameters include: Called Party Number, Calling Party Number and a Redirecting Number. Therefore the call setup messages of Mitchell anticipate the claimed data fields as presently claimed.

Regarding claim 1, Applicant incorrectly alleges Welch does not show, describe or suggest determining if a call is marked presentation restricted or presentation unavailable. However Welch teaches, "SSP 104 sends an IAM message to SSP 106A. The IAM message includes a calling party address marked as private. In response to receiving the IAM message, SSP 106A performs a lookup in its line options database to determine the options for processing the call to the called party" (col. 4, lines 15-20). Hence STP 2 of Figure 6 determines whether the calling party is anonymous or unknown by determining whether the calling party address field in an IAM message is marked private. Therefore Welch discloses the claimed determining limitation as presently claimed..